

ANNEX 3

Public Redacted

Version

From: Trial Chamber V Communications
Sent: 08 May 2023 15:24
To: D29 Yekatom Defence Team; OTP CAR IIB
Cc: Chamber Decisions Communication; Associate Legal Officer-Court Officer; [REDACTED]
 [REDACTED] Office of the Director DJSS; [REDACTED] Vanderpuye, Kweku; Dimitri, Mylene; Trial Chamber V Communications
Subject: Decision setting the deadline for observations on the Yekatom Defence request for an order to the Registry to facilitate telephone calls

[ICC] RESTRICTED

Dear Counsel,

The Single Judge instructs the Prosecution to provide any observations on the below request, notably in relation to [REDACTED] and [REDACTED] by Wednesday, 10 May 2023. These observations may be provided on an *ex parte* basis, as necessary, but a redacted version should be shared with the relevant participants.

Kind regards,
 TC V

From: Dimitri, Mylene [REDACTED]
Sent: 25 April 2023 20:16
To: Trial Chamber V Communications [REDACTED]
Cc: Chamber Decisions Communication [REDACTED]; D29 Yekatom Defence Team [REDACTED] Associate Legal Officer-Court Officer [REDACTED]
 [REDACTED]
 [REDACTED]; Office of the Director DJSS [REDACTED]; [REDACTED]
 [REDACTED] Vanderpuye, Kweku [REDACTED]; OTP CAR IIB [REDACTED]
Subject: RE: Order for Registry observations on confidential redacted version of Yekatom Defence request regarding Decision ICC-01/14-01/18-1830-Conf-Exp

[ICC] RESTRICTED

Dear Trial Chamber V,
 Dear all,

The Yekatom Defence understands the technical difficulties faced by the Detention Center in implementing the Trial Chamber's order of 5 April 2023. In order to facilitate the challenges faced by the Detention Center, the Defence approached the Prosecution today in *inter partes* discussions to attempt to solve the issue. The Defence suggested [REDACTED] and that of [REDACTED]
 [REDACTED]

With respect to [REDACTED] and [REDACTED] the Prosecution has agreed to allow Mr Yekatom to contact [REDACTED] [REDACTED] (the Agreement).

With respect to Ms [REDACTED] and [REDACTED] the Prosecution is reviewing the Defence's suggestion and will revert back to it soon. Although Ms [REDACTED] is [REDACTED]

Therefore, the Detention Center's suggestion is not possible.

The Defence therefore respectfully requests the Trial Chamber to order the Registry to

With regard to and the Defence awaits the Prosecution's position.

Kind regards,

Mylène Dimitri

From:

Sent: 25 April 2023 14:10

To: Trial Chamber V Communications

Cc: Chamber Decisions Communication; D29 Yekatom Defence Team; Associate Legal Officer-Court Officer

; ;

Office of the Director DJSS

Subject: FW: Order for Registry observations on confidential redacted version of Yekatom Defence request regarding Decision ICC-01/14-01/18-1830-Conf-Exp

[ICC] RESTRICTED

Dear Colleagues from Trial Chamber V,

The Registry hereby presents the following observations as regards the issues raised in the email of the Defence for Mr Yekatom, and as instructed by the Single Judge by way of email dated 24 April 2023, at 13.18.

The Registry takes the opportunity to recall that detained persons at the Detention Centre ("DC")

In order to implement the Trial Chamber's order of 5 April 2023, the DC

Upon receiving the Trial Chamber's order of 5 April 2023, with the helpful collaboration of the Defence in

the DC was able to on 6 April 2023, and

Thus from the 6 April 2023, Mr Yekatom may call

the Registry respectfully presents the Single Judge with the following information.

1. The Registry notes that the [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

As a solution the Registry proposes that Mr Yekatom may call [REDACTED]
[REDACTED]

2. For the [REDACTED], Ms [REDACTED] the Registry notes that [REDACTED]

As a solution the Registry proposes that [REDACTED]
[REDACTED]

Finally, the Registry respectfully highlights that Mr Yekatom retains the possibility to speak to [REDACTED]
[REDACTED] highlighted above. He may continue to call [REDACTED]

[REDACTED] The Registry therefore respectfully highlights the obstacle it faces as regards [REDACTED]
[REDACTED]

As instructed by the Single Judge, the Registry will provide a redacted version of its observations to all other participants, and a lesser redacted version to the OTP.

Kind regards,

[REDACTED]

On behalf of OD DJS, Registry

From: Trial Chamber V Communications [REDACTED]

Sent: 24 April 2023 13:18

To: Office of the Director DJSS [REDACTED]; [REDACTED]
[REDACTED] D29 Yekatom Defence Team
[REDACTED]

Cc: OTP CAR IIB [REDACTED]; Associate Legal Officer-Court Officer [REDACTED]
[REDACTED]; Chamber Decisions Communication [REDACTED]

Trial Chamber V Communications [REDACTED]

Subject: Order for Registry observations on confidential redacted version of Yekatom Defence request regarding Decision ICC-01/14-01/18-1830-Conf-Exp

[ICC] RESTRICTED

Dear colleagues from the Registry,

The Single Judge takes note of the Yekatom Defence's request below, and instructs the Registry to provide its observations on the request by latest Wednesday, 26 April 2023.

The Single Judge further instructs the Yekatom Defence and the Registry to share the request and the observations, respectively, with all the other participants, with the necessary redactions.

Kind regards, TC V

From: [REDACTED]

Sent: 18 April 2023 17:29

To: Trial Chamber V Communications [REDACTED]

Cc: D29 Yekatom Defence Team [REDACTED] Office of the Director DJSS

[REDACTED]; [REDACTED]

[REDACTED] OTP CAR IIB [REDACTED]

Subject: Confidential Redacted version of Yekatom Defence request regarding Decision ICC-01/14-01/18-1830-Conf-Exp

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Dear Trial Chamber V,

On 5 April 2023, the Trial Chamber V issued its "Eighth Decision on Mr Yekatom's Restrictions on Contacts and Communications in Detention" (ICC-01/14-01/18-1830-Conf-Exp). In this decision, the Chamber found that [REDACTED]

[REDACTED]

[REDACTED]

In this regard [REDACTED]

[REDACTED]

Indeed, [REDACTED]

[REDACTED]

On 6 April 2023, the Defence wrote to the CCO asking for [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On 13 April 2022, the [REDACTED]

[REDACTED] No response has been received since by the Detention Center.

On 14 April 2023, the Defence contacted the Registry (DJSS) regarding the matter. On 17 April 2023, the Registry by asking the Defence to wait for a response from the Detention Centre : “[/]a Section de la Détention, qui est la Section compétente, se penche actuellement sur les dernières informations reçues de votre part (courriel du 6 avril). Elle ne manquera pas de revenir vers vous en temps utile”.

To this day, the Defence has still not been informed by the Detention Centre if [REDACTED]

Given the decision issued by the Chamber, of Mr. Yekatom’s [REDACTED]

[REDACTED] and of the absence of any response from the Detention Centre, the Defence respectfully requests the intervention of the Chamber so the Chamber’s decision can be fully implemented.

Kind regards,

Legal Intern – Yekatom Defence

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